

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

UNITED STATES OF AMERICA,

Civil No.: 6:17-cv-01917-MK

Plaintiff,  
v.

GENERAL JUDGMENT OF  
FORECLOSURE

**RANDALL PAUL MANICKE; and RAY  
KLEIN INC., an Oregon corporation dba  
PROFESSIONAL CREDIT SERVICE,**

Defendants.

This civil action is before the Court for entry of a General Judgment of Foreclosure based on an Order of Default against Randall Paul Manicke and Ray Klein Inc. *dba* Professional Credit Service previously filed herein.

IT IS ORDERED, ADJUDGED, AND DECREED:

1. That Plaintiff recover from Defendant Randall Paul Manicke \$207,812.06 (\$159,605.39 principal and \$31,485.22 interest accrued through June 21, 2018, and interest to accrue at the daily rate of \$25.9659 from June 21, 2018, until judgment and interest thereafter at the annual rate (pursuant to 28 U.S.C. § 1961) of 2.44 percent computed daily and compounded annually after judgment until paid, and \$614.00 for Plaintiff's costs and disbursements incurred herein, plus costs of sale.

2. That the indebtedness referred to in paragraph 1 is secured by a real estate mortgage recorded May 6, 2003, as Instrument No. 2003-6225, Official Records of Coos

County, Oregon; and that Plaintiff's real estate mortgage is a valid existing lien on the real property described as follows:

The West ½ of the NE ¼ of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon. Except that portion conveyed to Howard G. Hoffer, et ux, by instrument recorded October 4, 1972 in Microfilm No. 72-10-77161, Records of Coos County, Oregon.

Together with an appurtenant easement, and maintenance agreement, for ingress and egress, created in instrument recorded August 21, 1997, as Instrument No. 97-08-0943, Records of Coos County, Oregon.

and is superior to the liens of all Defendants herein.

3. That Plaintiff's real estate mortgage be foreclosed and the property described in paragraph 2 be sold at public auction by the United States Marshal to the highest bidder for cashier's check or certified check payable ten percent (10%) at the time of the bid and the balance to be paid by the end of the business day on a day determined at the time of the sale and made payable to "Clerk, U.S. District Court" to be deposited with the Clerk of the United States District Court; and that the proceeds of the sale shall be applied as follows:

- (a) First, to the cost and expense of making the sale.
- (b) Second, in satisfaction of the sums due Plaintiff as set forth in paragraph 1.
- (c) Third, that the surplus, if any, be paid to the Clerk of this Court to be disbursed in accordance with further order of the Court.

4. That the Defendants and all persons claiming any interest, lien or other right by, through, or under them are forever barred and foreclosed from any interest in, lien upon, or other right with respect to the property or any part thereof, except the right of redemption provided by law.

5. That Plaintiff or any other party to this suit may become the purchaser at the sale of the real property. The purchaser is entitled to exclusive possession of the real property from and after the date of sale and is entitled to such remedies as are available at law to secure

possession, including a writ of assistance, if Defendants, or any of them, or any other party or person shall refuse to surrender possession to the purchaser immediately on the purchaser's demand for possession.

6. That Plaintiff shall have such other and further relief as is necessary to carry out the above.

DATED this 22nd day of April, 2019.

s/Michael J. McShane  
HONORABLE MICHAEL J. McSHANE  
UNITED STATES DISTRICT JUDGE

PRESENTED BY:  
**BILLY J. WILLIAMS**  
United States Attorney  
District of Oregon

/s/ Kathleen L. Bickers  
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